

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

**FINANCIAL EDUCATION
SERVICES, INC., *et al.*,**

Defendants.

Case No. 2:22-cv-11120-BAF-APP

Hon. Bernard A. Friedman

**THIRD STIPULATION AND
ORDER TO EXTEND
DEADLINES**

Come now Plaintiff Federal Trade Commission (“FTC”), Defendants Financial Education Services, Inc., United Wealth Services, Inc., VR-Tech, LLC, Youth Financial Literacy Foundation, LK Commerical Lending LLC, and Parimal Naik (collectively, the “FES Defendants”), Defendants VR-Tech MGT, LLC, CM Rent Inc., Statewide Commercial Lending LLC, Michael Toloff, Christopher Toloff, and Relief Defendant Gayle L. Toloff (collectively, the “Toloff Defendants”), and Defendant Gerald Thompson, by and through their respective counsel, and hereby stipulate and agree as follows:

1. On September 1, 2022, the Court entered its initial Scheduling Order for this case. (ECF No. 87.)
2. On February 16, 2023, the Court entered an order extending the deadlines of the original Scheduling Order for this case. (ECF No. 115.)
3. On September 25, 2023, the Court entered a second order extending the

deadlines of the original Scheduling Order for this case. (ECF No. 145.)

4. Since that time, the parties have engaged in extensive written discovery and document production. Discovery is ongoing and the transition to the next phase of discovery—depositions—will soon occur. Meanwhile, the FTC and Defendants have commenced substantive settlement discussions to resolve this matter. These discussions are continuing and are expected to continue for the next several months, in part due to scheduling conflicts.
5. In an effort to direct resources toward settlement, tentative scheduling of depositions has not yet occurred nor have Rule 30(b)(6) depositions topics been circulated. Scheduling and the conduct of depositions are anticipated to take a number of months, especially should certain trial conflicts of various of the attorneys materialize.
6. In addition, lead counsel for the FES Defendants is undergoing a medical procedure that will prevent his complete involvement in this matter over the upcoming months. FES Counsel has informed counsel for the FTC as much and they understood the need for this extension as the medical procedure will cause scheduling conflicts.
7. The Parties have been pursuing discovery diligently, but in light of the current status of document discovery and the time anticipated for the scheduling and

conduct of depositions, the Parties recognize that all this discovery cannot be reasonably completed by the current discovery deadline.

8. As such, the parties propose a third extension of the scheduling order deadlines and have jointly agreed to the following schedule:

Expert disclosures due	March 1, 2024
Lay witness lists due by	March 1, 2024
Rebuttal expert disclosures due	April 5, 2024
Discovery to be completed by	May 31, 2024
Parties to complete ADR	June 7, 2024
Dispositive Motions due by	August 16, 2024
Responses to dispositive motions due by	September 6, 2024
Replies in support of dispositive motions due by	September 20, 2024
Proposed joint pretrial order due by	November 26, 2024 (or one week before Pre-Trial)
Final pretrial conference/motions in limine due by	December 4, 2024 (or one week before Trial date) at 1:30 p.m.
Jury Trial	December 10, 2024 at 9:00 a.m.

9. This stipulation is being made in good faith and at the request of all parties, and not for purposes of delay.

10. This agreement shall be without prejudice to any party

IT IS SO ORDERED.

Dated: February 23, 2024
Detroit, Michigan

s/Bernard A. Friedman
Bernard A. Friedman
Senior United States District Judge

IT IS SO STIPULATED AND AGREED.

Dated: February 5, 2024

Respectfully submitted

/s/Gregory A. Ashe

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